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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TRANSPACIFIC PASSENGER
AIR TRANSPORTATION ANTITRUST
LITIGATION
STIPULATION AND ORDER REGARDING
SETTLING DEFENDANT'S RESPONSE TO
CLASS PLAINTIFFS' SECOND AMENDED
CONSOLIDATED CLASS ACTION
COMPLAINT

This Document Relates to:
ALL ACTIONS

1 WHEREAS on July 14, 2011 and November 22, 2013, Class Plaintiffs filed their First
2 Amended Consolidated Class Action Complaint and Second Amended Consolidated Class Action
3 Complaint, respectively;

4 WHEREAS Defendant Vietnam Airlines Company Limited (“Vietnam Airlines”) was a
5 named Defendant on these Complaints;

6 WHEREAS Defendant Vietnam Airlines filed its Answer to Plaintiffs’ First Amended
7 Consolidated Class Action Complaint on November 15, 2011;

8 WHEREAS, on July 1, 2013, prior to the filing of the Second Amended Consolidated
9 Class Action Complaint, Class Plaintiffs and Vietnam Airlines reached a settlement agreement,
10 subject to Court approval, resolving Class Plaintiffs’ claims against Vietnam Airlines in this
11 matter;

12 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
13 Class Plaintiffs and the undersigned Defendant, that:

14 Defendant Vietnam Airlines shall not be required to file any additional response to the
15 Second Amended Consolidated Class Action Complaint;

16 Defendant Vietnam Airlines’ prior Answer to the First Amended Consolidated Class
17 Action Complaint shall be deemed responsive to the Second Amended Consolidated Class Action
18 Complaint; and

19 Defendant Vietnam Airlines’ prior Answer shall be deemed to deny any additional or
20 different allegation made in the Second Amended Consolidated Class Action Complaint;

21 PROVIDED THAT, should the settlement agreement executed between Class Plaintiffs
22 and Defendant Vietnam Airlines fail to become final for any reason, Vietnam Airlines shall have
23 14 days from the date the settlement agreement becomes null and void to respond to the Second
24 Amended Consolidated Class Action Complaint.

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IT IS SO STIPULATED:

Dated: December 5, 2013

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/s/ Robert Hawk

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ATTESTATION

I, Seth R. Gassman, hereby attest, pursuant to Northern District of California, Local Rule 5-1(i)(3), that concurrence to the filing of this document has been obtained from each signatory hereto.

/s/ Seth R. Gassman

Seth R. Gassman

SO ORDERED.

Dated: Dec. 11, 2013

HON. JUDGE CHARLES R. BREYER
UNITED STATES DISTRICT COURT JUDGE

